In the High Court of Uttaranchal, at Nainital.

Second Appeal No. 39/2001.

(Old No. 328 of 1985)

Radhey Lal Shah and 3 others ….. Appellants.

Vs.

Dan Singh and three others … Respondents.

Dated: 31-8-2004.

Hon'ble Rajesh Tandon, J.

The case has been received on transfer from Allahabad High Court. None appeared for the parties. I have perused the record.

The present second appeal has been filed against the order passed by the two courts below.

Briefly stated the facts of the case are that a suit was filed by the plaintiffs for the realization of Rs. 1200/- and for the possession over the land of plot nos. 231 and 232. Plaintiff has stated that he has purchased half portion of plot nos. 230, 231 and 232 together with the shop constructed therein in the year 1947. The suit was contested by the defendant no.1 and the ownership of the plaintiff was accepted. However the suit was dismissed. The appellant court has also confirmed the order of the trial court. I find no substantial question of law.

The appeal is dismissed.

(Rajesh Tandon, J.)

ISB